

that body of House Bill No. 285: "An Act to amend Article 3, Section 3; Article 5, Section 5; Article 7, Section 7; Article 14, Section 14; Article 20, Section 20; Article 23, Section 23; Article 24, Section 24; Article 31, Section 31; Article 32, Section 32; Article 33, Section 33; Article 34, Section 34; Article 47, Section 47, of an act to consolidate in one act and annul the several acts incorporating the city of Houston, in Harris county," passed January 23, 1874.

Senator Storey offered the following amendment to the pending Senate Bill, No. 144:

In Section 5, line 22, strike out all after the word, "benefits," down to the end of line 29, and insert: "*And provided, further,* that nothing in this act shall be construed so as to allow any railway company, chartered under this act or under a special act of the Legislature, to alter or change any part of its charter requiring it to build its road through, and to maintain passenger and freight depots in or near any town or city in this State, and within the time named in their charters."

Pending on adjournment.

On motion of Senator Ford, the Senate adjourned until to-morrow morning at 9 o'clock.

SEVENTY-FOURTH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, July 14, 1876. }

Senate met pursuant to adjournment. President in the chair. Roll called. Quorum present. Prayer by the Rev. Mr. Collins.

Journal of yesterday adopted.

On motion of Senator Ball, Senator Carroll was indefinitely excused, in consequence of sickness in his family.

The President, after reading their captions, signed Senate Bill No. 297, "An Act prescribing the times of holding the District Courts in the Twenty-first Judicial District," and Senate Bill No. 333, "An Act to provide for holding a term of the District Court of Wharton county in August, 1876, for the trial of criminal causes."

Senator Hobby, Chairman of Judiciary Committee No. 1, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred House Bill No. 196, "An Act to provide for the publication of certain decisions of the Court of Appeals," have instructed me to report the bill back, and recommend its passage.

HOBBY, *Chairman.*

Senator F. M. Henry, from the Committee on Internal Improvements, submitted the following reports:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Internal Improvements, to whom was referred Senate Bill No. 340, "An Act to prescribe the mode and manner of accepting, by said railroad companies, of the provisions and conditions imposed by the Constitution of the State of Texas," have had the same under consideration, and report it back to the Senate, and recommend that said bill do pass.

F. M. HENRY, *for Committee.*

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Internal Improvements, to whom was referred Senate Bill No. 281, "An Act to amend Section 7 of an act to incorporate the Austin and Pacific Short Line Railroad Company, passed May 30, 1873," have had the same under consideration, and report it back to the Senate, with the recommendation that it do pass, with an amendment to Section 2, as follows:

"*Provided*, that said company shall file with the Secretary of State, within the time prescribed by law, a full and complete acceptance of the provisions of the Constitution in regard to railroads."

{F. M. HENRY, *for Committee.*

Senator Thompson introduced a bill entitled, "An Act to amend Articles 91 and 92 of the penal code."

Read by caption and referred to the Committee on Penitentiaries.

Senator Edwards introduced a bill entitled, "An Act to amend an act entitled, 'An Act to regulate the collection of accounts, approved April 2, 1874.'"

Read by caption and referred to Judiciary Committee No. 1.

The President took up House Bill No. 377, "An Act to amend Section 27 of an act authorizing the disposition and sale of University lands, approved April 8, 1874, and to validate all sales of 80 acres to any one person."

Referred to the Committee on Public Lands.

Senator Stephens, Chairman of the Committee on Federal Relations, by leave, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Federal Relations, to whom was referred House Joint Resolution No. 387, "Memorializing the Postmaster-General to establish a tri-weekly mail between Fort Concho and El Paso," have had the same under consideration, and report it back, and recommend its passage with the accompanying amendment, being an emergency section:

"SEC. 2. The facts set forth in the preamble hereof, and the prospect of an early adjournment of Congress, causes such an emergency as requires immediate action in this matter, and it is hereby enacted that this joint resolution take effect and be in force from and after its passage."

STEPHENS, *Chairman.*

On motion of Senator McLeary, the rules were suspended, and resolution taken up, read second time, and report of committee, with accompanying amendment, adopted.

On motion of Senator McLeary, the rules were still further suspended to place the resolution on its third reading, by the following vote:

YEAS—Senators Ball, Blassingame, Brown, Crain, Edwards, Francis, Ford, Grace, Guy, Henry J. R., Henry F. M., Hobby, Ledbetter, Martin, McLeary, McCormick, McCulloch, Motley, Piner, Stephens, Storey, Thompson, Wortham—23.

NAYS—None.

NOT VOTING—Senators Brady, Burton, Moore, Ripetoe, Smith—5.

Resolution read third time and passed by the following vote:

YEAS—Senators, Ball, Blassingame, Brown, Burton, Crain, Edwards, Francis, Ford, Grace, Guy, Henry J. R., Henry F. M., Hobby, Led-

better, Martin, McLeary, McCormick, McCulloch, Moore, Motley, Piner, Ripetoe, Smith, Stephens, Storey, Thompson, Wortham—27.

NAYS—None.

NOT VOTING—Senator Brady—1.

The Senate went into executive session.

IN SENATE.

The Secretary was instructed to inform His Excellency, the Governor, that the Senate does advise and consent to all his appointments of Notaries Public, in his message of yesterday, and that H. L. Howlett, John J. Eagan and J. W. Bradford, of Cameron county, submitted by His Excellency, in his message of the 11th inst., and which were postponed, were confirmed by the Senate, in connection with the other names presented from said county, in the Governor's message of yesterday.

The name of Charles A. Russell of Bee county, presented in the message of His Excellency, of the 11th inst., and which was postponed then, was not confirmed.

Senator Piner, Chairman of Judiciary Committee No. 2, by leave, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred House Bill No. 227, entitled, "An Act to create the Twenty-seventh Judicial District," have had the same under consideration, and respectfully recommend that it do pass.

PINER, *Chairman.*

Senator Grace, Chairman of the Committee on Enrolled Bills, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Enrolled Bills have carefully examined, compared and found correctly enrolled Senate Bill No. 333, entitled, "An Act to provide for holding a term of the District Court of Wharton county, in August, 1876, for the trial of criminal causes;" also, Senate Bill No. 297, entitled, "An Act prescribing the times of holding courts in the Twenty-first Judicial District;" the same has been properly signed and presented to the Governor this day at 9:25 o'clock A. M., for his approval.

GRACE, *Chairman.*

Senator Ledbetter, by leave, introduced a bill, entitled: "An Act to authorize sureties on the official bond of county officers to require their principals in such bonds to give new bonds and to provide for the giving of such new bonds in such cases."

Read by caption, and referred to Judiciary Committee No. 2.

A message was received from the House, announcing the passage by that body, of Senate Bill No. 295, "An Act to suppress lawlessness and crime in certain parts of the State;" and Senate Bill No. 103, "An Act to better define the powers and duties of Sheriffs and other officers."

Senator Crain, from the Committee on Engrossed Bills, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared and find correctly engrossed, Senate Bill No. 124, "An Act to

provide for the incorporation of Building Fund and Loan Associations."

CRAIN, for Committee.

On motion of Senator Hobby, the rules were suspended, and Senate Bill No. 137, "An Act to fix and regulate the fees of all the State officers of Texas, and the several counties thereof," was taken up.

Senator Ball moved to suspend the rules requiring the bill to be read.

Lost by the following vote:

YEAS—Senators Ball, Blassingame, Brady, Brown, Edwards, Grace, Guy, Henry J. R., Henry F. M., Hobby, Ledbetter, McCormick, McCulloch, Moore, Motley, Piner, Smith, Stephens, Storey—19.

NAYS—Senators Burton, Ford, Martin, McLeary, Ripetoe, Thompson, Wortham—7.

NOT VOTING—Senators Crain, Francis—2.

Senator Henry of Limestone in the chair.

Bill read third time.

Senator Burton offered the following amendment:

Substitute for Section 9:

Clerks of the County Court shall receive the following fees:

COSTS IN PROBATE MATTERS.

For filing each paper in relation to estates of decedents or wards, 15 cents.

For making notices, including copies for posting or publication, \$1.00.

For docketing each application, complaint, petition or proceeding, to be charged but once, 15 cents.

For each writ or citation, including copy thereof, 75 cents.

For each copy of an application, complaint or petition that is required to accompany a writ or citation, with certificate and seal, for each one hundred words, 20 cents.

For approving and reading each bond and oath of an administrator or guardian, \$1.50.

For making and attesting letters testamentary, or of administration or guardianship, \$1.00.

For entering each judgment in relation to estates of decedents or wards, \$1.00; and 20 cents per hundred for all in excess of two hundred words.

For recording all papers required to be recorded by them in relation to estates of decedents or wards, for each one hundred not otherwise provided for, 20 cents.

For administering oath to an executor, administrator or guardian, 25 cents.

For administering oath or affirmation in all other cases, and giving certificate with seal when necessary, 50 cents.

FEES IN MISDEMEANORS.

For issuing each *capias* or other original writ, 75 cents.

For entering appearance, 20 cents.

For docketing cause, to be charged but once, 20 cents.

For swearing and empaneling a jury, and receiving and recording verdict, 75 cents.

For swearing each witness, 15 cents.

For issuing each subpoena, 40 cents; for each additional name, 15 cents.

For issuing each attachment, 75 cents.
For entering each order not otherwise provided for, 40 cents.
For entering judgment, 75 cents.
For filing each paper, 15 cents.
For entering each continuance, 15 cents.
For entering each motion or rule, 15 cents.
For entering each recognizance, 75 cents.
For entering each judgment *nisi*, 75 cents.
For entering each indictment or information, 15 cents.
For each commitment, \$1.50.
For each transcript or appeal, for each one hundred words, 15 cents.
For each copy of indictment or information, for each one hundred words, 20 cents.

IN CIVIL SUITS:

For each writ or citation, including copy thereof, 75 cents.
For docketing each cause, to be charged but once, 15 cents.
For filing each paper in a cause, 15 cents.
For each appearance, to be charged but once, 15 cents.
For entering each continuance, 15 cents.
For docketing each motion or rule, 15 cents.
For entering each final order, decree or judgment upon a motion or rule, except for costs not otherwise provided for, 75 cents for each one hundred words in excess of two hundred words.
For swearing each witness, 15 cents.
For administering each oath or affirmation, with certificate and seal, 75 cents; without certificate or seal, 40 cents.
For each subpoena 40 cents; for each additional name inserted in each subpoena, 15 cents.
For writing, taking and approving a bond in every case where a bond is required, except bonds for cost, \$1.50.
For swearing and empaneling a jury, and receiving and recording verdict, 75 cents.
For assessing the damages in each case not tried by a jury, 75 cents.
For each dismissal or entry of non-suit, 40 cents.
For each commission to take depositions, 75 cents.
For taking depositions, each one hundred words, with certificate and seal, 25 cents.
For each *scire facias*, including copy thereof, \$1.00.
For entering each interlocutory judgment, 75 cents.
For entering each final judgment, 75 cents; and 20 cents for every one hundred words in excess of two hundred words.
For taxing the bill of costs in each cause, including copy thereof, 20 cents.
For each execution, 75 cents.
For each order of sale, \$1.00.
For each writ of possession or restitution, 75 cents.
For entering and recording the return of each writ of execution, possession, etc., 75 cents.
For copies of petitions, interrogatories, and of all records or papers in their offices, with certificate and seal, each one hundred words, where not otherwise provided for, 20 cents.

For transcript in any case where appeal or writ of error is taken, with certificate and seal, where not otherwise provided, 75 cents.

For entering each order, not otherwise provided for, 15 cents.

Lost by the following vote:

YEAS—Senators Brady, Brown, Burton, Crain, Ford, Guy, Henry F. M., Ledbetter, McCormick, McCulloch, Moore, Ripetoe, Thompson—13.

NAYS—Senators Ball, Blassingame, Edwards, Francis, Grace, Henry J. R., Hobby, Martin, McLeary, Motley, Smith, Stephens, Storey, Wortham—14.

NOR VOTING—Senator Piner—1.

Senator Wortham, from Committee on Engrossed Bills, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Engrossed Bills have carefully examined, compared and find correctly engrossed Senate Bill No. 323, "An Act to transfer certain suits pending in the courts of the counties of this State out of which new counties have been created, to the new counties so created.

WORTHAM, *for Committee.*

Senator Burton offered the following amendments:

Substitute for Section 6:

County Judges shall receive the following fees:

For each cause finally disposed of before him by trial or otherwise, \$3.

For granting letters testamentary of administration or of guardianship, \$1 50.

For each order of sale, 75 cents.

For each approval and confirmation of sale, \$1.50.

For each decree of partition and distribution, \$2.50.

For each decree approving or setting aside the report of Commissioners of partition and distribution, \$2.50.

For each decree refusing order of sale or confirmation of sale, \$1.50.

For each decree removing an executor, administrator or guardian, \$1.50.

For each fiat or certificate granted by him, \$1.00

For each continuance, 25 cents.

For each order made by him, except otherwise provided for, \$1.00.

For each hearing, determining and rendering a final order on each motion submitted to him, 15 cents.

For hearing each case of *habeas corpus*, \$3.00.

For every case of misdemeanor finally disposed of by him, \$5.00.

For each certificate, not otherwise provided for, with seal, 50 cents.

For each order required in relation to the estates of decedents or wards, not otherwise provided for, 75 cents.

For each certificate of election, with seal, 75 cents.

For ordering all elections, and doing all other business required of him by law in relation to elections, such sum as may be allowed him by the County Court.

Amendment lost.

Senator Ripetoe offered the following amendment:

Amend Section 7, lines 5 and 6, by striking out, "\$15.00," and inserting, "\$10.00."

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Senator Burton offered the following substitute for Senator Ripetoe's amendment:

"Strike out, "\$15.00," and insert, "\$14.99."

Lost.

Senator Ripetoe's amendment was then lost, by the following vote:

YEAS—Senators Blassingame, Brady, Brown, Martin, McCormick, Moore, Ripetoe, Wortham—8.

NAYS—Senators Ball, Burton, Edwards, Francis, Grace, Guy, Henry J. R., Henry F. M., Hobby, Ledbetter, McLeary, McCulloch, Motley, Smith, Stephens, Storey—16.

NOT VOTING—Senators Crain, Ford, Piner, Thompson—4.

Senator McCormick offered the following amendment:

Add to Section 7: "District Attorneys shall be allowed the same fees for similar services as, by this section, is provided for County Attorneys."

Adopted.

President in the chair.

Senator Storey offered the following amendment:

For every case of misdemeanor, to be paid by the county when the defendant is acquitted, \$3.00; not to exceed in the aggregate, in any one year, more than \$250.00.

Lost, by the following vote (it taking a two-thirds vote):

YEAS—Senators Brown, Burton, Crain, Edwards, Guy, Hobby, Ledbetter, McLeary, McCulloch, Motley, Ripetoe, Smith, Storey, Thompson—14.

NAYS—Senators Ball, Blassingame, Brady, Francis, Ford, Grace, Henry J. R., Henry F. M., Martin, McCormick, Moore, Piner, Stephens, Wortham—14.

Senator McLeary offered the following amendment to Section 6:

Add to Section 6: "There shall be allowed to the County Judge such books, stationery and office furniture as may be necessary for him in the discharge of the duties of his office, and the same shall be paid for out of the County Treasury on the order of the County Commissioners' Court."

Adopted.

Senator Piner offered the following amendment:

Amend Section 10 by adding thereto, "felony cases tried in the District Court, to be paid by the State, \$10.00."

Adopted.

Senator Guy offered the following amendment:

Amend Section 9 by adding, "there shall be allowed for the use of the County Clerk such books and stationery as are necessary for his office, to be paid for out of the County Treasury."

Adopted.

Senator Guy offered the following amendments:

Amend Section 10, line 37, by striking out, "two," and inserting, "three."

Lost.

Amend Section 10, line 41, by striking out, "one," and inserting, "two."

Lost.

Senator Edwards offered the following amendments:

Strike out of Section 9, from lines 35 to 61, inclusive, and including

amendments of Senator Piner, and insert said lines, as Section 10. with the heading :

"Fees of County and District Clerks in criminal cases," and change other sections to correspond.

Adopted.

Also, the following :

Add to Section 10, line 6, "in cases of felony, to be paid by the State, when defendant is brought to trial."

Line 10, after the word, "dollar," "in cases of felony, to be paid by the State, when defendant is brought to trial."

Line 49, "in cases of felony, to be paid by the State, when defendant is brought to trial."

Line 53, "in cases of felony, to be paid by the State, when defendant is brought to trial."

Adopted.

Also, the following :

"For recording any instrument, required by law to be recorded, not otherwise provided for, 15 cents for each one hundred words ; and for issuing each marriage license \$1.00.

Senator Ball offered the following amendment to Senator Edwards' amendment :

Strike out, "for marriage license, \$1," and insert, "for marriage license, \$2.50."

Lost.

Senator Edwards' amendment was adopted.

Senator Grace moved the previous question.

Seconded.

Senate refused to order the main question.

Senator Crain offered the following amendment :

Add to Section 9 : "Provided, the Clerk shall receive no pay for motions or judgments for costs or for approving bond for costs ; and that judgments containing several orders shall not be considered as more than one judgment for which charges may be made."

Adopted.

Senator McCulloch offered the following amendment :

In Section 10, line 9, page 15, strike out, "fifty dollars," and insert instead thereof, "one thousand dollars."

Lost.

Senator Ford offered the following amendment as a substitute for Section 16 :

"SEC. 16. Inspectors of Hides and Animals for each county or district shall receive the following fees :

"For each hide and animal inspected, 10 cents each for the first 100 inspected for any one person at one time ; and for the next 100 so inspected, 8 cents each, and for any number over 200 so inspected, six cents each.

"For each horse, mule or head of cattle imported from Mexico, 5 cents per head.

"For each hide imported from Mexico and inspected, 5 cents ; to include hides of cattle, and not those of sheep or goats. And such other fees as may be designated by laws relating to the inspection of hides and animals."

Adopted.

Senator Crain offered the following, to be added to Section 16:

Add after the word, "hides," wherever it appears, the words, "of neat cattle."

Adopted.

Senator Storey offered the following amendment:

In Senator Ford's substitute for Section 16, line 12, strike out, "six," and insert, "three."

Adopted.

Senator Grace offered the following amendment:

In Section 16, line 4, strike out, "one hundred," and insert, "fifty."

Lost.

Senator McLeary offered the following amendment:

Insert in the amendment of Senator Edwards, to Section 18, after the word, "words," in line 5, the words, "including the certificate and seal."

Adopted,

Senator McLeary in the chair.

Senator Martin offered the following amendment to Section 7:

Amend Section 7, line 12, by striking out, "fifty," and inserting, "twenty-five."

Lost by the following vote:

YEAS—Senators Blassingame, Francis, Henry J. R., Martin, Moore, Ripetoe—6.

NAYS—Senators Ball, Brady, Brown, Burton, Crain, Edwards, Ford, Grace, Guy, Henry F. M., Hobby, Ledbetter, McLeary, McCormick, McCulloch, Motley, Piner, Smith, Stephens, Storey, Wortham—21.

NOT VOTING—Senator Thompson—1.

Senator Storey offered the following as a substitute for Senator Martin's amendment:

Strike out all of Section 7, except the amendment offered by Senator McCormick to said section, and adopted.

Lost.

Senator Burton offered the following amendment:

Amend Section 10, line 49, by striking out, "fifty dollars," and inserting in lieu thereof the words, "one hundred dollars."

Lost.

Senator Guy offered the following amendment:

Amend Section 12, line 6, by striking out, "fifty cents," and inserting in lieu thereof, "one dollar."

Adopted.

Senator Storey offered the following amendment:

Amend Section 7, by striking out all down to the end of line 13, and inserting, "County and District Attorneys shall receive the following fees:

"In misdemeanors—for each conviction, to be paid by the defendant, \$15.00.

"In felony cases—for each conviction in a capital case, \$75.00; for each conviction of murder in the second degree, \$60.00; for each conviction of theft, when the verdict is confinement in the penitentiary for ten years or more, \$50.00; for each conviction in case of highway robbery, \$50.00; for convictions in all other felony cases, \$25.00."

Lost, by the following vote:

YEAS—Senators Edwards, Francis, Hobby, McCulloch, Storey—5.

NAYS—Senators Ball, Blassingame, Brady, Brown, Burton, Crain, Grace, Guy, Henry J. R., Henry F. M., Ledbetter, Martin, McLeary, McCormick, Moore, Motley, Piner, Ripetoe, Wortham—19.

NOT VOTING—Senators Ford, Smith, Stephens, Thompson—4.

Senator Burton offered the following amendment:

Amend Section 10, line 49, by striking out, "fifty dollars," and inserting, "seventy-five dollars."

Senator Francis moved the previous question, on the pending amendment and the passage of the bill, which was seconded, and the main question ordered.

Senator Burton's amendment was lost, and the bill passed by the following vote:

YEAS—Senators Ball, Edward, Francis, Ford, Henry J. R., Henry F. M., Hobby, Ledbetter, McLeary, McCormick, Motley, Piner, Storey—13.

NAYS—Senators Blassingame, Brady, Brown, Burton, Crain, Grace, Guy, Martin, McCulloch, Moore, Ripetoe, Wortham—12.

NOT VOTING—Senators Smith, Stephens, Thompson—3.

The President in the chair.

The President signed, after reading its caption, House Bill No. 191, "An Act to provide for the transfer of business, civil and criminal, pending in the District Courts, over which jurisdiction is given by the Constitution to the Justices' Courts, to the several Justices' Courts of this State."

On motion of Senator Brady, the rule was suspended, and House Bill No. 285 (amending Houston city charter), was taken up and referred to Judiciary Committee No. 1.

On motion of Senator Storey, the rule was suspended, and Senate Bill No. 109, "An Act to regulate fines in civil cases," was taken up and referred to Judiciary Committee No. 1.

On motion of Senator Piner, the rules were suspended, and House Bill, No. 227, "An Act to create the Twenty-seventh Judicial District of the State of Texas," was taken up and read first time.

On motion of Senator Piner, the rules were further suspended to place the bill on its second reading, by the following vote:

YEAS—Senators Ball, Blassingame, Brady, Brown, Burton, Crain, Edwards, Ford, Grace, Guy, Henry J. R., Henry F. M., Hobby, Ledbetter, McCormick, McCulloch, Moore, Motley, Piner, Ripetoe, Smith, Stephens, Storey and Wortham—24.

NAYS—Senators Francis, Martin, McLeary and Thompson—4.

Senator Martin moved that the bill be postponed until Tuesday next. Lost.

The bill was then read second time.

The bill passed to its third reading by the following vote:

YEAS—Senators Ball, Blassingame, Brady, Brown, Crain, Edwards, Ford, Grace, Guy, Henry J. R., Henry F. M., Hobby, Ledbetter, McCulloch, Moore, Piner, Ripetoe, Smith, Stephens, Storey, Thompson—21.

NAYS—Senators Francis, Martin, McLeary, Motley, Wortham—5.

NOT VOTING—Senators Burton, Douglass, McCormick—3.

On motion of Senator Piner, the rules were suspended to place the bill on its third reading by the following vote:

YEAS—Senators Ball, Blassingame, Brady, Brown, Burton, Crain, Edwards, Ford, Grace, Guy, Henry J. R., Henry F. M., Hobby, Ledbetter, McCormick, McCulloch, Moore, Piner, Ripetoe, Smith, Stephens, Storey, Thompson—23.

NAYS—Senators Francis, Martin, McLeary, Motley, Wortham—5.

A message was received from the House, announcing that it had concurred in Senate amendments to House Bill No. 35, "An Act authorizing the refunding of moneys paid into the General Land Office under provisions of an act to authorize the location, sale and settlement of the Mississippi and Pacific Railroad reserve, passed August 26, 1856; and an act supplementary thereto," approved Nov. 28, 1857; and also to Senate amendments to House Bill No. 68, "An Act to provide for refunding money paid into the State Treasury in certain cases."

On motion of Senator J. R. Henry, the Senate adjourned until tomorrow morning at 9 o'clock, by the following vote:

YEAS—Senators Ball, Blassingame, Brady, Brown, Burton, Francis, Grace, Guy, Henry, J. R., Henry F. M., Ledbetter, Martin, McCormick, McCulloch, Moore, Motley, Piner, Ripetoe, Stephens—19.

NAYS—Senators Crain, Edwards, Ford, Hobby, McLeary, Smith, Storey, Thompson, Wortham—9.

SEVENTY-FIFTH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, July 15, 1876. }

Senate met pursuant to adjournment. Roll called. Quorum present. Prayer by the Chaplain.

Journal of yesterday adopted.

President *pro tem.* in the chair.

On motion of Senator Ledbetter, Senator Terrell was excused indefinitely in consequence of sickness in his family.

Senator Piner presented the petition of many citizens of Pilot Point and vicinity, Denton county, "asking that the Legislature do pass an act legalizing the sale of spirituous, vinous, malt and other intoxicating liquors, within the corporate limits of said town, and within five miles of said town, and to repeal any and all laws heretofore passed by any previous Legislature, prohibiting the sale of liquors aforesaid, within the above mentioned limits."

Referred to Committee on State Affairs.

Senator Henry of Cass, presented the petition of several citizens of his county, "protesting against any dismemberment of their county, for the purpose of annexing it to Morris county, stating that the cutting off of the western part of their county and attaching it to said county of Morris, would unsettle their county seat and probably cause it to be moved, greatly to the detriment of their county, as they have a good court-house, jail," etc.

Referred to Committee on Counties and County Boundaries.

Senator Moore, from Committee on Privileges and Elections, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Privileges and Elections, to whom was referred the petition and memorial of citizens of Brownsville, Texas, have had the same under consideration, and beg leave to report it back with the accompanying bill, and recommend that it do pass.

MOORE, for Committee.